

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-10, 17 and 19 have been amended. Claims 11-16 and 18 have been cancelled without prejudice. New claims 20-25 have been added. Therefore, claims 1-10, 17 and 19-25 are now presented for examination. The following remarks are in response to the final Office Action mailed on February 25, 2005.

35 U.S.C. § 103 Rejection

Claims 1-3 and 11-12 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Reilly, U.S. Patent No. 6,427,164 ("Reilly") in view of Salzfass et al., U.S. Application No. 2002/0042815 ("Salzfass").

Applicant respectfully submits that Reilly discloses "[s]ystems and methods for automatically determining the recipient of electronic mail that is unknown at the receiving server [but] has left a 'forwarding address' . . . thereby. . . automatically *send[ing] the electronic mail content to the correct new address*. In addition . . . the *sending user is notified as to the new electronic mail address so as to allow the sending user to update* manually, or automatically, the *user's individual database of electronic mail addresses*." (Abstract; emphasis provided). Reilly further discloses determining whether a *forwarding address is left* so that the *sending user can be notified and the database of electronic email addresses can be updated*. Reilly's use of the *forwarding address, notifying of the sending user, and then updating of the database* not only does not disclose or reasonably suggest "automatically deleting the destination address for the first member from the distribution list so that a subsequent sending to the distribution list avoids corresponding subsequent error messages," as recited by claim 1. (emphasis

provided). The Examiner acknowledges in a final Office Action, mailed on February 25, 2005, that “Reilly didn’t disclose: automatically deleting the destination address for the first member from the distribution list so that a subsequent sending of the distribution list avoids corresponding subsequent errors.” (final Office Action, mailed February 25, 2005, page 3, paragraph 5; emphasis provided). The Examiner relies on Salzfass for such a feature.

Applicant submits that Salzfass discloses “a system ... for *routing undeliverable e-mail messages*, [and]. . . for *determining the routing of e-mail messages* and otherwise managing e-mail by using various characteristics of the entire e-mail process, including addressing, content, distribution, content of error messages and the personal and business needs of the users.” (page 1, paragraph 1; emphasis provided). Salzfass further discloses that the system “will notify the sender that *an address change has occurred* and will *include the current valid e-mail address of the intended recipient*.” (page 6, paragraph 67; emphasis provided). Stated differently, Salzfass discloses finding the correct destination of an email message that has been sent with an invalid email address. This is done by determining if there is a forwarding address available, or by using information that might help to determine the actual destination of the email message. (page 6, paragraph 67).

Claim 1, in pertinent part, recites “automatically deleting the destination address for the first member from the distribution list so that a subsequent sending to the distribution list avoids corresponding subsequent error messages.” (emphasis provided). Salzfass does not teach or reasonably suggest automatically deleting the destination address for the first member from the distribution list, as recited by claim 1.

Additionally, claim 1, in pertinent part, recites “expanding the distribution list into

its constituent recipients.” (emphasis provided). Applicant submits that neither Reilly nor Salzfass, individually or combined, teach or reasonably suggests such a feature. Accordingly, for at least the reasons stated above, Applicant respectfully requests the withdrawal of the rejection to claim 1 and its dependent claims.

Claims 8 and 17 contain limitations similar to those of claims 1. Accordingly, Applicant respectfully requests the withdrawal of the rejection of claims 8 and 17 and their dependent claims.

Claims 4-10 and 13-19 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Reilly, in view of Salzfass, and in further view of Applicant’s prior art.

Claims 4-10 and 19 depend from one of independent claims 1, 8 and 17 and thus include all the limitations of their base claim.

New Claims

New claim 20 depends from independent claim 17 and thus includes the limitations of its base claim.

New claim 21 contains limitations similar to those of claim 1. Accordingly, Applicant respectfully submits that claims 20-25 are distinguished over the sighted references.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

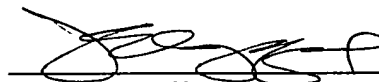
Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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Date:

May 20, 2005



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